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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,937	07/09/2001	Akhter Akhterzzaman	LUC-309/Akhteruzzaman 37-	7473
32205 7590 11/13/2007 PATTI, HEWITT & AREZINA LLC ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			EXAMINER PEREZ, ANGELICA	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 11/13/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/900,937	<b>Applicant(s)</b> AKHTERZZAMAN ET AL.	
	<b>Examiner</b> Angelica M. Perez	<b>Art Unit</b> 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 28-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 28-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

1. Applicant's arguments, see Appeal Brief filed 7/9/2007, with respect to the rejection(s) of claim(s) 28-35 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Steer

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 28-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kowaguchi (Kowaguchi, Satoshi; US patent No.: 6,201,973 B1) in view of Steer, David G. (Steer, US006643517B1).

4. Regarding claim 28, Kowaguchi teaches of a method comprising the steps of: storing in a mobile communication device one or more designated geographical areas (figure 3, item 216 and columns 3 and 4, lines 14-26, 57-59 and 17-26, respectively); determining, by the mobile communication device, when the mobile communication device is within one of one or more designated geographical areas (column 5, lines 25-39), preventing activation of an audible incoming call indicator in the mobile communication device while the mobile communication device is within one of the one or more designated geographical areas (column 5, lines 25-39; where notification can

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be received by other means: e.g., visual or by no other means at all) Kowaguchi further teaches of generating a prevent activation control signal by the mobile communication device to prevent activation of the audible incoming call indicator at the mobile communication device in response to receipt of the first signal (column 4, lines 14-26). Kowaguchi further teaches of receiving at the mobile communication device a first signal from a supporting exchange representing that the one of the one or more designated geographical areas (column 1, lines 33-55, where it is clearly indicated that prior art teaches where inhibition signal warnings are sent to the mobile terminal from the system which comprises "supporting exchange"; where "supporting exchange" can comprise "base station", "control center", "server", "repeater" and the like); and preventing activation of the audible incoming call indicator in the mobile communication device in response to receipt of the first signal (column 1, lines 46-50).

Kowaguchi does not specifically teach where one or more designated geographical areas comprise one or more high traffic areas.

In related art, concerning a method of using location information for interference protection, Steer teaches where one or more designated geographical areas comprise one or more high traffic areas (column 7, lines 56-62, where given a broad interpretation, a "high traffic area" comprises a "highway").

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kowaguchi's communication device location information for one or more designated geographical areas with Steer's one or more

high traffic areas as one of the regions where constrain of the operation of a mobile device should be exercised in order to prevent interference.

Regarding claim 29, Kowaguchi and Steer teach all the limitations of claim 28.

Steer further teaches the step of transmitting to the mobile communication device location information for the one or more first high traffic areas where use of audible incoming call indication is restricted (columns 6 and 7, lines 17-36 and 56-62, respectively).

Regarding claim 30, Kowaguchi teaches of a method comprising the steps of: storing in a mobile communication device location information for one or more designated geographical areas (figure 3, item 216 and columns 3 and 4, line 57-59 and 17-26, respectively); determining, by the mobile communication device, when the mobile communication device is within one of the one or more designated geographical areas (column 5, lines 25-39); and preventing one or more outgoing calls from the mobile communication device while the communication device is within one of the one or more designated geographical areas (column 4, lines 14-26 and figure 3, item 216). Kowaguchi further teaches of receiving at the mobile communication device a first signal from a supporting exchange representing that the one of the one or more designated geographical areas (column 1, lines 33-45); and preventing activation of the audible incoming call indicator in the mobile communication device in response to receipt of the first signal (column 1, lines 46-50), and generating at the mobile communication device in response to receipt of the first signal, a control signal utilized in the mobile communication device to prevent the mobile communication device from

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initiating any transmissions to the supporting exchange as part of one or more outgoing calls in response to receipt of the first signal and in response to a user input associated with an attempted initiation the outgoing call (column 1, lines 33-55, where it is clearly indicated that prior art teaches where inhibition signal warnings are sent to the mobile terminal from the system which comprises "supporting exchange"; where "supporting exchange" can comprise "base station", "control center", "server", "repeater" and the like); and preventing activation of the audible incoming call indicator in the mobile communication device in response to receipt of the first signal (column 1, lines 46-50).

Kowaguchi does not specifically teach where one or more designated geographical areas comprise one or more high traffic areas.

In related art, concerning a method of using location information for interference protection, Steer teaches where one or more designated geographical areas comprise one or more high traffic areas (column 7, lines 56-62, where given a broad interpretation, a "high traffic area" comprises a "highway").

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kowaguchi's communication device location information for one or more designated geographical areas with Steer's one or more high traffic areas as one of the regions where constrain of the operation of a mobile device should be exercised in order to prevent interference.

Regarding claim 31, Kowaguchi and Steer teach all the limitations of claim 30. Kowaguchi further teaches the step of transmitting to the mobile communication device

location information for the one or more where outgoing calls are restricted (figure 4 shows different transmission inhibition areas).

Steer further teaches second high traffic areas (column 7, lines 56-60, where it is implied that there is more than one high traffic area).

Regarding claim 32, Kowaguchi and Steer teach all the limitations of claim 28. Kowaguchi further teaches where the step of receiving at the mobile communication device a first signal comprises receiving the first signal via a wireless transmission a from the supporting exchange (columns 4 and 5, lines 14-26 and 25-39).

Regarding claim 33, Kowaguchi and Steer teach all the limitations of claim 30. Kowaguchi further teaches where the step of receiving at the mobile communication device a first signal comprises receiving the first signal via a wireless transmission a from the supporting exchange (columns 4 and 5, lines 14-26 and 25-39).

Regarding claim 34, Kowaguchi and Steer teach all the limitations of claim 28. Kowaguchi further teaches of displaying indicia by the mobile communication device indicating that the latter is in a restricted area upon receipt of the first signal from the supporting exchange (columns 4 and 5, lines 14-26, 56-63 and 25-39, respectively).

Regarding claim 35, Kowaguchi and Steer teach all the limitations of claim 30. Kowaguchi further teaches of displaying indicia by the mobile communication device indicating that the latter is in a restricted area upon receipt of the first signal from the supporting exchange (columns 4 and 5, lines 14-26, 56-63 and 25-39, respectively).

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 571-272-7885. The examiner can normally be reached on 6:00 a.m. - 2:30 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and for After Final communications.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either the PAIR or Public PAIR. Status information for unpublished applications is available through the Private PAIR only. For more information about the pair system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.



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Angelica Perez  
Examiner

  
MATTHEW ANDERSON  
SUPERVISORY PATENT EXAMINER

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November 8, 2007